

07058-57659(BDB)

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

TERRY ABELS as Next Friend and  
Guardian Ad Litem for JERRY HUNT,

Plaintiff,

vs.

GENIE INDUSTRIES, INC.,  
DUNCAN ELECTRIC COMPANY, AND  
RENTAL SERVICE CORPORATION  
(ALSO KNOWN AS RSC),

Defendants.

No. 1-04-1148  
Judge Todd  
Magistrate Judge Anderson  
JURY DEMANDED

FILED BY S D.C.  
05 JUL 28 PM 3:05  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, JACKSON

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**AGREED ORDER CORRECTING PROPER PARTY DEFENDANT**

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The parties to this cause have advised the Court that Duncan Electric Company is a division of White Electrical Construction Co., that White Electrical Construction Co. is the correct name of Duncan Electric Company, and that the pleadings should be amended to properly reflect White Electrical Construction Co. as a party defendant.

IT IS, THEREFORE, ORDERED that the Amended Complaint in this cause be amended to include and incorporate White Electrical Construction Co. in any and all references therein to Duncan Electric Company, so as to state "White Electrical Construction Co.;" that any and all allegations against or referring to Duncan Electrical Construction Company in the Amended Complaint shall be considered to be equally applicable to and to have been made against or refer to White Electrical Construction Co. as if originally stated therein; and that the amended references to White Electrical

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Construction Co. in the Amended Complaint also be incorporated therein to any and all pleadings which reference or mention the Amended Complaint.

IT IS FURTHER ORDERED that service of process upon White Electrical Construction Co. has been properly made through personal service upon Duncan Electric Company.

ENTERED this 28<sup>th</sup> day of July, 2005.

James D. Todd  
JUDGE

APPROVED FOR ENTRY:

RAINEY, KIZER, REVIERE & BELL, P.L.C.

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 1:04-CV-01148 was distributed by fax, mail, or direct printing on July 29, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT